

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6750**

**BILL NUMBER:** SB 264

**NOTE PREPARED:** Dec 27, 2011

**BILL AMENDED:**

**SUBJECT:** Child Solicitation.

**FIRST AUTHOR:** Sen. Head

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill increases the penalty for child solicitation to a Class B felony if a person commits the offense by using a computer network and travels to meet the child. It increases the penalty for child solicitation to a Class B felony if the person committing the crime has a previous unrelated conviction for child solicitation.

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:** It is unknown how many future Class C felonies for child solicitation might become Class B felonies because of these provisions. There were 27 people incarcerated for child solicitation during CY 2010, 286 in CY 2009, and 24 in CY 2008.

State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class C felony is punishable by a prison term ranging between 2 and 8 years, depending upon mitigating and aggravating circumstances. A Class B felony is punishable by a prison term ranging from 6 to 20 years. More offenders could mean increased costs to the Department of Correction (DOC). The average expenditure to house an adult offender was \$18,836 in FY 2011. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the incremental cost for medical care, food, and clothing is approximately \$3,318 annually, or \$9.09 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$75,591 in FY 2011. The average length of stay in DOC facilities for all Class C felony offenders is 2 years and for all Class B felony offenders, approximately 3.7 years.

**Explanation of State Revenues:** No change would likely occur in state revenue as a result of this bill since

criminal fines and court fees are the same for either Class C or B felonies.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** No additional revenues would be expected since the court fees for Class C and Class B felonies are both \$120.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs' Association, Department of Correction.

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825.